REMARKS

By this Amendment, claims 12 and 30 are cancelled, and claims 1, 16-17 and 19 are amended. Claims 2-11, 13-15, 18, 20-29 and 31-34 remain in the application. Thus, claims 1-11, 13-29 and 31-34 are active in the application. Reexamination and reconsideration of the application are respectfully requested.

In item 4 on page 2 of the Office Action, claims 1-2, 11-17, 19, 20 and 29-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gregg et al. (U.S. 6,516,416) in view of Field et al. (U.S. 6,412,008).

Without intending to acquiesce to this rejection, independent claims 1, 16-17 and 19 have each been amended in order to more clearly illustrate the marked differences between the present invention and the applied references. The Applicants respectfully submit that the amendments made to claims 1, 16-17 and 19 do not present either new matter or any new issue since claims 1, 16-17 and 19 have been amended to include the limitations of cancelled claims 12 and 30.

Accordingly, for the following reasons, the Applicants respectfully submit that the present invention is clearly patentable over the applied references.

The present invention provides a data processing apparatus, a data processing method, and a program for causing a computer to execute the data processing method in which a stored process right for copyright-protected specifies a number of executions, and a display unit is operable to display on the screen as many icons as the number of executions specified by the process right. Accordingly, the data processing apparatus and method of the present invention present a user with as many icons as the number of executions of the copyrighted data which the user can execute. Therefore, the user can easily recognize the number of executions which are executable for the copyright protected data.

Claim 1 recites a data processing apparatus which is operable to execute a process on copyrighted data within an obtained right. The data processing apparatus of amended claim 1 comprises, in part, a control unit which is operable to determine, based on a process right stored in a right information storage unit, whether an instruction is to be executed or not, and a display unit which is operable to display the process right stored in the right information storage unit on a screen. Claim 1 defines that the process right

stored in the right information storage unit specifies a number of executions, and that the display unit is operable to display on the screen as many icons as the number of executions specified by the process right.

Claim 19 recites a data processing apparatus for executing a process on copyrighted data within an obtained right. The data processing apparatus of claim 19 comprises, in part, control means for determining, based on a process right stored in a right information storage means, whether the instruction is to be executed or not, and display means for displaying the process right stored in the right information storage means on a screen. Claim 19 defines that the process right stored in the right information storage unit specifies a number of executions, and that the display means displays on the screen as many icons as the number of executions specified by the process right.

Claim 16 recites a data processing method for executing a process on copyrighted data within an obtained right, and claim 17 recites a recording medium having a program recorded thereon for executing, on a computer, a data processing method which is identical to the data processing method of claim 16. The data processing method as recited in claims 16 and 17 comprises, in part, determining, based on a stored process right, whether an instruction is to be executed or not, and displaying the stored process right on a screen. As defined in claims 16 and 17, the process right stored in the storing of the process right specifies a number of executions, and the displaying of the process right displays on the screen as many icons as the number of executions specified by the process right.

Gregg et al. discloses a system and method for controlling access to computer resources using an untrusted network, and a process which is performed by a user for accessing copyrighted contents. Gregg et al. discloses that whether or not the user is able to execute a process for the contents is determined based on the copyright level that is assigned to each content and that there may be different levels of copyright protection for the contents (see Column 20, lines 4-11). In the system of Gregg et al., each level of copyright protection indicates whether or not a process of any one of or a combination of print, save and cut/copy/paste is executable for the contents.

However, Gregg et al., in Column 20, lines 4-11, merely defines whether or not the user is able to execute a process for the contents. Gregg et al., however, does not

disclose or suggest a process or system for determining whether or not the level of copyright protection that is assigned to each content limits the number of executions of the copyright protected content.

Therefore, the system of Gregg et al. clearly does not disclose or suggest that the process right stored in the right information storage unit (right information storage means) specifies a number of executions, and that the display unit (display means) is operable to display on the screen as many icons as the number of executions specified by the process right, as recited in claims 1 and 19.

Similarly, the system of Gregg et al. also clearly does not disclose or suggest that the process right stored in the storing of the process right specifies a number of executions, and that the displaying of the process right displays on the screen as many icons as the number of executions specified by the process right, as recited in claims 16 and 17.

Fields et al. discloses a system for customizing a Web page according to user preferences. Fields et al. discloses that a client sends a request for a network file, such as Web page, to a server. A client sends a request for a network file, such as a Web page, to a server. The request may include information regarding the client machine type, browser, and customization options (preferences). The customization options may include user options and group options. These options, along with the client machine type and browser, are used by the server to determine how to customize the requested network file. Fields et al. discloses that the server obtains the requested network file, and a server-side customization program customizes the file. The client receives the customized network file, including the return customization information, from the server. A client-side customization program then performs further customization on the network file. This customization may be based on the return customization information from the server, other user preferences known by the client, and/or current conditions at the client. After the client-side customization is complete, the final customized file is displayed by the client (see Column 2, lines 47-67, Column 4, lines 31-64 and Column 5, lines 9-35).

However, similar to Gregg et al., Fields et al. clearly does not disclose or suggest that the process right stored in the right information storage unit (right information storage means) specifies a number of executions, and that the display unit (display

means) is operable to display on the screen as many icons as the number of executions specified by the process right, as recited in claims 1 and 19.

Similarly, Fields et al. also clearly does not disclose or suggest that the process right stored in the storing of the process right specifies a number of executions, and that the displaying of the process right displays on the screen as many icons as the number of executions specified by the process right, as recited in claims 16 and 17.

Therefore, neither Gregg et al. nor Fields et al., either individually or in combination, disclose or suggest each and every limitation of claims 1, 16-17 and 19. Accordingly, no obvious combination of Gregg et al. and Fields et al. would result in the inventions of claims 1, 16-17 and 19 since Gregg et al. and Fields et al., either individually or in combination, fail to disclose or suggest each and every limitation of claims 1, 16-17 and 19.

Therefore, claims 1, 16-17 and 19 are clearly patentable over Gregg et al. and Fields et al.

In item 5 on page 10 of the Office Action, claims 3-10, 18, 21-28 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gregg et al. in view of Fields et al. and further in view of England et al. (U.S. 6,330,670).

As demonstrated above, neither Gregg et al. nor Fields et al. disclose or suggest each and every limitation of claims 1, 16-17 and 19. For the following reasons, the Applicants respectfully submit that England et al. clearly does not cure the deficiencies of Gregg et al. and Fields et al. for failing to disclose or suggest each and every limitation of claims 1, 16-17 and 19.

England et al. discloses a digital rights management operating system which protects rights-managed data, such as downloaded content, from being accessed by untrusted programs while the data is loaded into memory or on a page file as a result of the execution of a trusted application that accesses the memory. England et al. discloses that to protect the rights-managed data resident in memory, the digital rights management operating system refuses to load an untrusted program into memory while the trusted application is executing or removes the data from memory before loading the untrusted program. England et al. also discloses that to protect the rights-managed data on the page file, the digital rights management operating system prohibits raw access to the page file,

or erases the data from the page file before allowing such access. England et al. also discloses that the digital rights management operating system limits the functions the user can perform on the rights-managed data and the trusted application.

However, similar to Gregg et al. and Fields et al., England et al. clearly does not disclose or suggest that the process right stored in the right information storage unit (right information storage means) specifies a number of executions, and that the display unit (display means) is operable to display on the screen as many icons as the number of executions specified by the process right, as recited in claims 1 and 19.

Similarly, England et al. also clearly does not disclose or suggest that the process right stored in the storing of the process right specifies a number of executions, and that the displaying of the process right displays on the screen as many icons as the number of executions specified by the process right, as recited in claims 16 and 17.

Accordingly, Gregg et al., Fields et al. and England et al., either individually or in combination, clearly fail to disclose or suggest each and every limitation of claims 1, 16-17 and 19. Thus, no obvious combination of Gregg et al., Fields et al. and England et al. would result in the inventions of claims 1, 16-17 and 19 since Gregg et al., Fields et al. and England et al. clearly do not disclose or suggest each and every limitation of claims 1, 16-17 and 19.

Therefore, claims 1, 16-17 and 19 are clearly patentable over Gregg et al., Fields et al. and England et al.

Furthermore, it is submitted that the clear distinctions discussed above are such that a person having ordinary skill in the art at the time the invention was made would not have been motivated to modify Gregg et al., Fields et al. and England et al in such as manner as to result in, or otherwise render obvious, the present invention as recited in claims 1, 16-17 and 19. Therefore, it is submitted that the claims 1, 16-17 and 19, as well as claims 2-11, 13-15, 18, 20-29 and 31-34 which depend therefrom, are clearly allowable over the prior art as applied by the Examiner.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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January 21, 2005